REMARKS

OBJECTION TO THE TITLE:

In the Office Action, at page 2, numbered paragraph 3, the title was objected to as not being descriptive. In view of the proposed amended title set forth above, the outstanding objection to the title should be resolved.

REJECTION UNDER 35 U.S.C. §112:

In the Office Action, at page 2, numbered paragraph 4, claim 3 was rejected under 35 U.S.C. §112, second paragraph, for the reasons set forth therein.

Claim 3 has been cancelled without prejudice or disclaimer. Thus, the objection is now moot.

DOUBLE PATENTING REJECTION:

In the Office Action, at page 3, numbered paragraphs 5-6, claims 1-9 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13 of copending Application No. 09/778919 (Pat-919).

It is respectfully submitted that the double patenting rejection is moot in view of the cancellation of claims 1-3 and presentation of new claims 10-13.

In addition, since claims 4-13 of the present invention are not yet in final form and since the copending Application has not yet issued as a patent, it is respectfully submitted that it is premature to compare the claims of the present invention with the claims of copending Application No. 09/778919 with respect to double-patenting.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at pages 4-5, numbered paragraphs 7-8, claims 1, 4-7 and 9 are rejected under 35 U.S.C. §102(b) as being anticipated by Okumura (USPN 5,107,353). This rejection is traversed and reconsideration is requested.

Independent claim 1 has been cancelled without prejudice or disclaimer. Thus the rejection of claim 1 as being anticipated under 35 U.S.C. §102(b) by Okumura (USPN 5,107,353) is now moot.

The invention recited in independent claim 4, and similarly in independent claim 9, differs from Okumura (USPN 5,107,353) in constitution. A color arrangement on a screen is common to claims 4 and 9 of the present invention and Okumura. In Okumura, however, lighting two neighboring cells in at least one cell column (made up of cells having the same light color) when displaying one display line is not performed. Okumura is not directed to a technique of distributing a luminance value of one pixel of an input image to plural cells having the same light color.

That is, Okumura teaches a driving scheme in which an **entire column** of a same light color is lighted (See FIG. 9), providing vertical stripes. In contrast, the present invention discloses a lighting pattern in which **at lease one neighboring cell** in at least one cell column is lighted (see, e.g., FIG. 7 of the present invention) for compensation (see new claim 14 and line 7 of page 10 through line 21 of page 11 of the specification) for each original cell in a display line.

Thus, it is respectfully submitted that independent claims 4 and 9 are not anticipated by Okumura (USPN 5,107,353) under 35 U.S.C. §102(b). Since claims 5-7 depend from independent claim 4, claims 5-7 are submitted to be not anticipated by Okumura (USPN 5,107,353) under 35 U.S.C. §102(b) for at least the reasons that independent claim 4 is submitted to be not anticipated by Okumura (USPN 5,107,353) under 35 U.S.C. §102(b).

REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at pages 5-6, numbered paragraphs 9-10, claims 2 and 8 were rejected under 35 U.S.C. §103 as being unpatentable over Okumura in view of Shigeta (USPN 5,659,226; hereafter Shigeta '226). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claim 2 has been cancelled without prejudice or disclaimer. Thus, the rejection of claim 2 under 35 U.S.C. §103 as being unpatentable over Okumura in view of Shigeta '226 is now moot.

It is respectfully submitted that claim 8 is patentable over Okumura in view of Shigeta (USPN 5,659,226). Okumura fails to teach lighting two neighboring cells in at least one cell column out of a set of cell columns each having the same light color when displaying a display line perpendicular to the column direction, which is recited in claim 4 of the present invention. While Shigeta '226 is directed to a plasma display panel, nothing in Shigeta '226 suggests the technique for distributing a luminance value of one pixel of an input image to plural cells having the same light color, as is recited in claim 4 of the present invention.

It is respectfully submitted that the courts have held that the Examiner may not suggest modifying references using the present invention as a template absent a suggestion of the desirability of the modification in the prior art. *In re Fitch*, 23 U.S.P.Q.2d 1780, Fed Cir. 1992. Something in the prior art as a whole must suggest the desirability, and thus, the obviousness, of making the combination. *Alco Standard Corp. v. Tennessee Valley Authority*, 808 F. 2d 1490, 1 U.S.P.Q. 2d 1337 (Fed. Cir. 1986). When a rejection depends on a combination of prior art references, there must be some teaching, suggestion or motivation to combine the references. *In re Geiger*, 815 F.2d 686, 688 2 U.S.P.Q.2d 1276, 1278 (Fed. Cir. 1987). Thus, since there is no teaching or suggestion of combining Shigeta '226 with Okumura, it is respectfully submitted that claim 4 is patentable over Okumura under 35 U.S.C. §103 in view of Shigeta '226. Since claim 8 depends from claim 4, claim 8 is submitted to be patentable over Okumura under 35 U.S.C. §103 in view of Shigeta '226 for at least the reasons that claim 4 is submitted to be patentable over Okumura under 35 U.S.C. §103 in view of Shigeta '226.

CONCLUSION:

Claims 1-3 have been cancelled without prejudice or disclaimer. New claims 10-14 have been added. No new matter has been added. Claims 4-14 are pending.

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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